

## **780 KAR 6:020. Compensation plan.**

RELATES TO: KRS 151B.035

STATUTORY AUTHORITY: KRS 151B.035

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.035(11) requires the executive director of the Office of Career and Technical Education to promulgate administrative regulations governing the unclassified service. This administrative regulation establishes the compensation plan for unclassified employees of the Office of Career and Technical Education.

Section 1. General Provisions. (1) The executive director shall prepare and recommend through the Secretary of the Education and Workforce Development Cabinet to the Secretary of the Finance and Administrative Cabinet a pay plan for all employees in the unclassified service taking into account:

- (a) The relative levels of duties and responsibilities of various classes of positions;
- (b) Rates paid for comparable positions elsewhere; and
- (c) The state's financial resources.

(2) The pay shall become effective upon approval by the Governor after submission by the executive director through the Secretary of the Workforce Development Cabinet and the Secretary of the Finance and Administration Cabinet.

(3) An amendment to the pay plan shall be made in the same manner.

(4) Each employee shall be appointed at a rate set forth within the pay plan for the position in which he is employed.

Section 2. Appointments. A new unclassified service employees or reentering unclassified service employee shall be appointed at the salary within the salary structure for unclassified service employee commensurate with education level and experience.

Section 3. Salary Adjustments. (1) Promotion.

(a) A certified or equivalent employee who is promoted to the unclassified service shall receive a five (5) percent salary increase at the time of promotion unless his current salary is above the minimum on the salary schedule. If the employee's salary is above the minimum, the five (5) percent increase shall be at the discretion of the appointing authority.

(b) If the promotion is to a position which constitutes an unusual increase in the level of responsibility, the executive director may grant upon promotion a ten (10) percent to twenty (20) percent salary increase over the employee's previous salary.

(c) Upon the successful completion of a six (6) month promotional probationary period, an unclassified employee may receive at the discretion of the executive director a five (5) percent promotional increase at the beginning of the month following completion of the probationary period.

(2) Demotion. An unclassified employee in the Office of Career and Technical Education who is demoted to another position in the unclassified service shall have his salary adjusted in accordance with the appropriate salary schedule.

(3) Other salary adjustments. The executive director for the Office of Career and Technical Education may authorize performance bonuses in lump sum payments for outstanding job performance in the unclassified service in any fiscal year in which monies are available.

Section 4. Salary Advancements. Annual salary increments for unclassified employees shall occur commensurate with each person's established increment date.

Section 5. Paid overtime. An unclassified employee shall be awarded overtime payments in accordance with the Fair Labor Standards Act, 29 U.S.C. 201 et seq. (17 Ky.R. 1277; eff. 12-9-1990; 35 Ky.R. 1885; 2243; eff. 5-1-2009; Crt eff. 11-16-2018.)